

Tiberi	Vitter	Wexler
Tierney	Walden (OR)	Whitfield
Toomey	Walsh	Wicker
Towns	Wamp	Wilson (NM)
Turner (OH)	Waters	Wilson (SC)
Turner (TX)	Watt	Wolf
Udall (NM)	Waxman	Wu
Upton	Weiner	Wynn
Van Hollen	Weldon (FL)	Young (AK)
Velazquez	Weldon (PA)	Young (FL)
Visclosky	Weller	

## NOT VOTING—13

Davis (IL)	Istook	Udall (CO)
Davis, Jo Ann	Janklow	Watson
Emerson	Keller	Woolsey
Gephardt	Rangel	
Hoekstra	Reyes	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SWEENEY) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1415

Mr. MENENDEZ changed his vote from “nay” to “yea.”

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the remainder of this series will be conducted as 5-minute votes.

## MOTION TO INSTRUCT CONFEREES ON H.R. 1308, TAX RELIEF, SIMPLIFICATION, AND EQUITY ACT OF 2003

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct on H.R. 1308 offered by the gentleman from Maryland (Mr. RUPPERSBERGER) on which the yeas and nays were ordered.

The Clerk will designate the motion.

The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Maryland (Mr. RUPPERSBERGER).

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 206, nays 213, not voting 15, as follows:

[Roll No. 493]

## YEAS—206

Abercrombie	Boswell	Costello
Ackerman	Boucher	Cramer
Alexander	Boyd	Crowley
Allen	Brown (PA)	Cummings
Andrews	Brown (OH)	Davis (AL)
Baca	Brown, Corrine	Davis (CA)
Baird	Capps	Davis (FL)
Baldwin	Capuano	Davis (TN)
Ballance	Cardin	DeFazio
Becerra	Cardoza	DeGette
Bell	Carson (IN)	Delahunt
Bereuter	Carson (OK)	DeLauro
Berkley	Case	Deutsch
Berman	Castle	Dicks
Berry	Clay	Dingell
Bishop (GA)	Clyburn	Doggett
Bishop (NY)	Conyers	Dooley (CA)
Blumenauer	Cooper	Doyle

Edwards	Leach	Rodriguez
Ehlers	Lee	Ross
Emanuel	Levin	Rothman
Engel	Lewis (GA)	Roybal-Allard
Eshoo	Lipinski	Ruppersberger
Etheridge	Lofgren	Rush
Evans	Lowe	Ryan (OH)
Farr	Lucas (KY)	Sabo
Fattah	Lynch	Sanchez, Linda
Filner	Majette	T.
Ford	Maloney	Sanchez, Loretta
Frank (MA)	Markey	Sanders
Frost	Marshall	Sandlin
Gonzalez	Matheson	Schakowsky
Gordon	Matsui	Schiff
Green (TX)	McCarthy (MO)	Scott (GA)
Grijalva	McCarthy (NY)	Scott (VA)
Gutierrez	McCollum	Serrano
Hall	McDermott	Sherman
Harman	McGovern	Skelton
Hastings (FL)	McIntyre	Slaughter
Hill	McNulty	Smith (NJ)
Hinchey	Meehan	Smith (WA)
Hinojosa	Meek (FL)	Snyder
Hoeffel	Meeks (NY)	Solis
Holden	Menendez	Spratt
Holt	Michaud	Stark
Honda	Millender-McDonald	Stenholm
Hooley (OR)	Miller (NC)	Strickland
Hoyer	Miller, George	Stupak
Inlee	Mollohan	Tanner
Israel	Moore	Tauscher
Jackson (IL)	Moran (VA)	Taylor (MS)
Jackson-Lee (TX)	Murtha	Thompson (CA)
Jefferson	Nadler	Thompson (MS)
John	Napolitano	Tierney
Johnson, E. B.	Neal (MA)	Towns
Jones (OH)	Oberstar	Turner (TX)
Kanjorski	Obey	Udall (NM)
Kaptur	Olver	Upton
Kennedy (RI)	Ortiz	Van Hollen
Kildee	Owens	Velazquez
Kilpatrick	Pallone	Visclosky
Kind	Pascarella	Waters
Klecza	Pastor	Watson
Kucinich	Payne	Watt
Lampson	Pelosi	Waxman
Langevin	Peterson (MN)	Weiner
Lantos	Pomeroy	Wexler
Larsen (WA)	Price (NC)	Wu
Larson (CT)	Rahall	Wynn

## NAYS—213

Aderholt	Culberson	Hostettler
Akin	Cunningham	Hulshof
Bachus	Davis, Tom	Hunter
Baker	Deal (GA)	Hyde
Barrett (SC)	DeLay	Isakson
Bartlett (MD)	DeMint	Issa
Barton (TX)	Diaz-Balart, L.	Istook
Bass	Diaz-Balart, M.	Jenkins
Beauprez	Doolittle	Johnson (CT)
Biggart	Dreier	Johnson (IL)
Bilirakis	Duncan	Johnson, Sam
Bishop (UT)	Dunn	Jones (NC)
Blackburn	Everett	Kelly
Blunt	Feeney	Kennedy (MN)
Boehlert	Ferguson	King (IA)
Boehner	Flake	King (NY)
Bonilla	Fletcher	Kingston
Bonner	Foley	Kirk
Bono	Forbes	Kline
Boozman	Fossella	Knollenberg
Bradley (NH)	Franks (AZ)	Kolbe
Brady (TX)	Frelinghuysen	LaHood
Brown (SC)	Gallely	Latham
Brown-Waite,	Garrett (NJ)	LaTourette
Ginny	Gerlach	Lewis (CA)
Burgess	Gibbons	Lewis (KY)
Burns	Gilchrest	Linder
Burr	Gillmor	LoBiondo
Burton (IN)	Gingrey	Lucas (OK)
Buyer	Goode	Manzullo
Calvert	Goodlatte	McCotter
Camp	Goss	McCrery
Cannon	Granger	McHugh
Cantor	Graves	McInnis
Capito	Greenwood	McKeon
Carter	Gutknecht	Mica
Chabot	Harris	Miller (FL)
Chocola	Hart	Miller (MI)
Coble	Hastings (WA)	Miller, Gary
Cole	Hayes	Moran (KS)
Collins	Hayworth	Murphy
Cox	Hefley	Musgrave
Crane	Hensarling	Myrick
Crenshaw	Herger	Nethercutt
Cubin	Hobson	Neugebauer

Ney	Renzi	Sweeney
Northup	Reynolds	Tancred
Norwood	Rogers (AL)	Tauzin
Nunes	Rogers (KY)	Taylor (NC)
Nussle	Rogers (MI)	Terry
Osborne	Rohrabacher	Thomas
Ose	Ros-Lehtinen	Thornberry
Otter	Royce	Tiahrt
Oxley	Ryan (WI)	Tiberi
Paul	Ryun (KS)	Toomey
Pearce	Saxton	Turner (OH)
Pence	Schrock	Vitter
Peterson (PA)	Sensenbrenner	Walden (OR)
Petri	Sessions	Walsh
Pickering	Shadegg	Wamp
Pitts	Shaw	Weldon (FL)
Platts	Shays	Weldon (PA)
Pombo	Sherwood	Weller
Porter	Shimkus	Whitfield
Portman	Shuster	Wicker
Pryce (OH)	Simmons	Wilson (NM)
Putnam	Simpson	Wilson (SC)
Quinn	Smith (MI)	Wolf
Radanovich	Smith (TX)	Young (AK)
Ramstad	Souder	Young (FL)
Regula	Stearns	
Rehberg	Sullivan	

## NOT VOTING—15

Ballenger	Gephardt	Keller
Davis (IL)	Green (WI)	Rangel
Davis, Jo Ann	Hoekstra	Reyes
Emerson	Houghton	Udall (CO)
English	Janklow	Woolsey

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SWEENEY) (during the vote). Members are advised 2 minutes remain on this vote.

□ 1425

Messrs. SAXTON, TERRY and MCINNIS changed their vote from “yea” to “nay.”

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

Mr. GREEN of Wisconsin. Mr. Speaker, earlier today I unfortunately missed a vote because I was unavoidably detained elsewhere in the Capitol. Had I been here, I would have voted “no” on rollcall vote 493, the Motion to Instruct Conferees on the Tax Relief, Simplification and Equity Act.

## MOTION TO INSTRUCT CONFEREES ON H.R. 2555, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2004

The SPEAKER pro tempore. The pending business is the question on the motion to instruct conferees on the bill, H.R. 2555.

The Clerk will designate the motion.

The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Minnesota (Mr. SABO) on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 347, nays 74, not voting 13, as follows:

[Roll No. 494]

## YEAS—347

Abercrombie	Baker	Bereuter
Ackerman	Baldwin	Berkley
Alexander	Ballance	Berman
Allen	Bass	Berry
Andrews	Beauprez	Bilirakis
Baca	Becerra	Bishop (GA)
Bachus	Bell	Bishop (NY)

Blumenauer  
Boehlert  
Bonilla  
Bono  
Boozman  
Boswell  
Boucher  
Boyd  
Bradley (NH)  
Brady (PA)  
Brady (TX)  
Brown (OH)  
Brown (SC)  
Brown, Corrine  
Brown-Waite,  
Ginny  
Burgess  
Burns  
Burr  
Burtin (IN)  
Buyer  
Calvert  
Camp  
Cantor  
Capito  
Capps  
Capuano  
Cardin  
Cardoza  
Carson (IN)  
Carson (OK)  
Case  
Castle  
Chabot  
Clay  
Clyburn  
Coble  
Cole  
Conyers  
Cooper  
Costello  
Cox  
Cramer  
Crowley  
Cummings  
Cunningham  
Davis (AL)  
Davis (CA)  
Davis (FL)  
Davis (TN)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
DeLay  
Deutsch  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dicks  
Dingell  
Doggett  
Dooley (CA)  
Doolittle  
Doyle  
Dunn  
Edwards  
Emanuel  
Engel  
English  
Eshoo  
Etheridge  
Evans  
Everett  
Farr  
Fattah  
Ferguson  
Filner  
Fletcher  
Foley  
Forbes  
Ford  
Fossella  
Frank (MA)  
Frelinghuysen  
Frost  
Gallegly  
Gerlach  
Gilchrest  
Gillmor  
Gingrey  
Gonzalez  
Goode  
Goodlatte  
Gordon  
Goss  
Granger  
Graves  
Green (TX)  
Green (WI)

Greenwood  
Grijalva  
Gutierrez  
Hall  
Harman  
Harris  
Hart  
Hastings (FL)  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Hensarling  
Herger  
Hill  
Hinchee  
Hinojosa  
Hobson  
Hoeffel  
Holden  
Holt  
Honda  
Hooley (OR)  
Hostettler  
Hoyer  
Hulshof  
Hunter  
Hyde  
Inlee  
Israel  
Issa  
Istook  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Jenkins  
John  
Johnson (CT)  
Johnson, E. B.  
Jones (NC)  
Jones (OH)  
Kanjorski  
Kaptur  
Kelly  
Kennedy (RI)  
Kildee  
Kilpatrick  
Kind  
King (NY)  
Kirk  
Kolbe  
Kucinich  
LaHood  
Lampson  
Langevin  
Lantos  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Leach  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Lipinski  
LoBiondo  
Lofgren  
Lowey  
Lucas (KY)  
Lucas (OK)  
Lynch  
Majette  
Maloney  
Manzullo  
Markey  
Marshall  
Matheson  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McCotter  
McCrery  
McDermott  
McGovern  
McHugh  
McInnis  
McIntyre  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Michaud  
Millender  
McDonald

Miller (MI)  
Miller (NC)  
Miller, George  
Mollohan  
Moore  
Moran (KS)  
Moran (VA)  
Murphy  
Murtha  
Nadler  
Napolitano  
Neal (MA)  
Nethercutt  
Neugebauer  
Northup  
Nunes  
Oberstar  
Obey  
Olver  
Ortiz  
Ose  
Owens  
Pallone  
Pascrell  
Pastor  
Payne  
Pearce  
Pelosi  
Peterson (MN)  
Peterson (PA)  
Pickering  
Platts  
Pombo  
Pomeroy  
Porter  
Portman  
Price (NC)  
Pryce (OH)  
Putnam  
Quinn  
Rahall  
Ramstad  
Rehberg  
Renzi  
Reynolds  
Rodriguez  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Ros-Lehtinen  
Ross  
Rothman  
Roybal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (OH)  
Ryun (KS)  
Sabo  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sanders  
Sandlin  
Saxton  
Schakowsky  
Schiff  
Schrock  
Scott (GA)  
Scott (VA)  
Serrano  
Shaw  
Shays  
Sherman  
Sherwood  
Shimkus  
Shuster  
Simmons  
Simpson  
Skelton  
Slaughter  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Solis  
Souder  
Spratt  
Stark  
Stearns  
Stenholm  
Strickland  
Stupak  
Sweeney  
Tancredo  
Tanner  
Tauscher  
Tauzin  
Taylor (MS)

Taylor (NC)  
Thomas  
Thompson (CA)  
Thompson (MS)  
Tiberi  
Tierney  
Towns  
Turner (OH)  
Turner (TX)  
Udall (NM)  
Upton

Van Hollen  
Velazquez  
Visclosky  
Vitter  
Walden (OR)  
Walsh  
Wamp  
Waters  
Watson  
Watt  
Waxman

Weiner  
Weldon (PA)  
Weller  
Wexler  
Whitfield  
Wicker  
Wilson (NM)  
Wolf  
Wu  
Wynn  
Young (AK)

#### NAYS—74

Aderholt  
Akin  
Baird  
Ballenger  
Barrett (SC)  
Bartlett (MD)  
Barton (TX)  
Biggert  
Bishop (UT)  
Blackburn  
Blunt  
Boehner  
Bonner  
Cannon  
Carter  
Chocola  
Collins  
Crane  
Crenshaw  
Cubin  
Culberson  
Davis, Tom  
Deal (GA)  
DeMint  
Dreier

Duncan  
Ehlers  
Feeney  
Flake  
Franks (AZ)  
Garrett (NJ)  
Gibbons  
Gutknecht  
Isakson  
Johnson (IL)  
Johnson, Sam  
Kennedy (MN)  
King (IA)  
Kingston  
Kline  
Knollenberg  
Linder  
McKeon  
Mica  
Miller (FL)  
Miller, Gary  
Musgrave  
Myrick  
Ney  
Norwood

Nussle  
Osborne  
Otter  
Oxley  
Paul  
Pence  
Petri  
Pitts  
Radanovich  
Regula  
Rohrabacher  
Ryan (WI)  
Sensenbrenner  
Sessions  
Shadegg  
Smith (MI)  
Sullivan  
Terry  
Thornberry  
Tiahrt  
Toomey  
Weldon (FL)  
Wilson (SC)  
Young (FL)

#### NOT VOTING—13

Davis (IL)  
Davis, Jo Ann  
Emerson  
Gephardt  
Hoekstra

Houghton  
Janklow  
Keller  
Klecza  
Rangel

Reyes  
Udall (CO)  
Woolsey

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The **SPEAKER** pro tempore (Mr. SWEENEY) (during the vote). Members are advised there are less than 2 minutes remaining in this vote.

□ 1434

Messrs. BURGESS, GINGREY, and BOOZMAN changed their vote from "nay" to "yea."

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### PERSONAL EXPLANATION

Mr. Speaker, on rollcall Nos. 492, 493, 494. I could not be here to vote as I was with President Bush in my District as he spoke to the Marines, FBI, and 1st responders at the FBI Lab at Quantico, VA. Had I been present, I would have voted "no" on 492; "no" on 493; and "yes" on 494.

#### APPOINTMENT OF CONFEREES

The **SPEAKER** pro tempore. Without objection, the Chair appoints the following conferees: Messrs ROGERS of Kentucky, YOUNG of Florida, WOLF, WAMP, and LATHAM, Mrs. EMERSON, Ms. GRANGER, Messrs. SWEENEY, SHERWOOD, SABO, PRICE of North Carolina, SERRANO, Ms. ROYBAL-ALLARD, and Messrs. BERRY, MOLLOHAN, and OBEY.

There was no objection.

#### ANNOUNCEMENT OF PRAYER BREAKFAST MEETING TOMORROW

(Mr. BOSWELL asked and was given permission to address the House for 1 minute.)

Mr. BOSWELL. Mr. Speaker, as my colleagues probably know, many of them, I am president of the prayer breakfast in the House of Representatives, meeting every Thursday morning at 8 o'clock when we are here. With the announcement of tomorrow, the question has come up from several about tomorrow and the fact that it is Remembrance Day, a very important day.

We will, repeat, we will continue with the regularly scheduled breakfast, as a number of Members are going to be here. It will be the regular time, 8 o'clock, in the Members' dining room here in the Capitol building. Tomorrow at 8 o'clock, the prayer breakfast will proceed.

#### INSTITUTIONAL INTEGRITY

(Mr. FRANK of Massachusetts asked and was given permission to address the House for 1 minute.)

Mr. FRANK of Massachusetts. Mr. Speaker, last night as we were discussing the length of the vote, I made some comments which, as I think about them this morning, were inappropriate. I meant to make a point about institutional integrity; and as I rethink what I said, it was inappropriately personally aimed at the gentleman from Texas who was in the chair.

So without repeating the offense, I just want to apologize to the gentleman from Texas. My comment should have been more institutional and not personal, and I thank the House for its indulgence.

#### PERSONAL EXPLANATION

Mr. HASTINGS of Florida. Mr. Speaker, yesterday during the consideration of H.R. 2989, I inadvertently voted "yes" on rollcall number 482. My vote should have been "no."

#### GENERAL LEAVE

Mr. OXLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2622, the Fair and Accurate Credit Transactions Act of 2003.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

#### FAIR AND ACCURATE CREDIT TRANSACTIONS ACT OF 2003

The **SPEAKER** pro tempore. Pursuant to House Resolution 360 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2622.